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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/518,570	12/21/2004	Ralf Kohler	PD020056	8416
7590 Mr Joseph S Tripoli Thomson Licensing Inc Patent Department P O Box 5312 Princeton, NJ 08543-5312			EXAMINER NOONAN, WILLLOW W	
			ART UNIT 2446	PAPER NUMBER
			MAIL DATE 06/12/2009	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/518,570

**Applicant(s)**

KOHLEK, RALF

**Examiner**

Willow Noonan

**Art Unit**

2446

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 February 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

### **DETAILED ACTION**

1. The instant application having Application No. 10/518,570 has a total of 12 claims pending in the application; there is 1 independent claim and 11 dependent claims, all of which are ready for examination by the examiner.

### ***Response to Arguments***

2. Applicant's arguments filed 2/11/2009 have been fully considered but they are not persuasive.

Applicant first argues that Bouret does not teach searching for the requested data from at least one data provider in the external network. However, Bouret does teach searching for the requested data from at least one data provider in the external network. See Bouret at p. 2, paragraph 18 ("requesting for a service from the interface entity for use by one of said clients, processing the request by the interface entity to find a matching service from the registered services"). Applicant contends that the disclosed invention searches service providers more directly; however, this limitation does not appear in the claims.

Applicant next argues that Bouret does not teach the module receiving data or metadata from an external service and making it available to devices on the home network. However, Bouret teaches a response from the external service. See Bouret at p. 5, paragraph 55 ("An application may be executed in the service provider entity (i.e. one of the service providers 11 to 13) and a response is provided to the client from the

service provider entity. The response may be communicated via the network.”). When combined with Akatsu’s module, the response would be received from the external network, converted/formatted, and provided to the client. *See* Akatsu at col. 3, lines 40-50; Akatsu at col. 9, lines 33-51.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 through 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Akatsu** (U.S. Patent No. 6505255) in view of **Bouret** (U.S. Patent App. Pub. No 2002/0101879).

Regarding claim 1, Akatsu teaches a module for search and integration of data for devices in a home network (Fig. 5, 504), the home network having a plurality of individual devices which are connected to one another and communicate among one another via one or more protocols defined for the home network (Fig. 5, 508, 512, 524, etc.), the home network having at least one connecting device (Fig. 5, 504) which allows communication between the home network, and the external network. *See* Akatsu, *Abstract*. Akatsu teaches the module being able to receive requests for data of the external network from at least one device not capable of independently requesting data of the external network, the request being in a format according to the one or more

protocols defined for the home network. See Akatsu at col. 3, lines 40-50; Akatsu at col. 9, lines 33-51.

Akatsu does not explicitly teach that said module is able to receive information about external services and has a search unit for making this data available to devices on the home network. However, Bouret does teach a network interface unit that performs the interfacing between external and internal networks, making external services available to all terminals on the internal network. See Bouret at p. 2, paragraph 18 ("According to one aspect of the present invention, there is provided a method for providing services for clients associated with a data communication network, said services being provided by at least one external service provider"). Bouret teaches a search module for searching the availability of specific data at the providers in the external network. See Bouret at p. 2, paragraph 18 ("requesting for a service from the interface entity for use by one of said clients, processing the request by the interface entity to find a matching service from the registered services").

It would have been obvious to one of ordinary skill to combine Bouret's teachings with Akatsu's system because Bouret teaches that the disclosed invention allows network operators to easily provide a wide variety of different services without being requires to generate and/or maintain these services. See Bouret at p.2, paragraph 22.

Regarding claims 2, 3, and 6, Akatsu also teaches that the module can convert data of the external network into a format which corresponds to the format used on the internal network and vice versa. See Akatsu, *Abstract*.

Regarding claim 5, Akatsu discloses that the module communicates with the devices of the home network using a protocol of the home network. See Akatsu at col. 3, lines 35-50.

Regarding claim 7, Akatsu further teaches that a node on the network may use a memory to store data being transferred. See Akatsu at col. 5, lines 6-13.

Regarding claim 8, Akatsu teaches that the external network can be the internet. See Akatsu at col. 10, lines 19-27.

Regarding claim 9, Akatsu further teaches that the data can be text, audio, or video data. See Akatsu at col. 7, lines 44-59.

Regarding claim 10, Akatsu further teaches that the module communicates with the devices of the home network via a data bus. See Akatsu at fig. 5 (568).

Regarding claim 11, Bouret teaches that the module can be integrated into the connecting device. See Bouret at p.3, paragraph 37 ("The framework 2 is preferably adapted to provide interface functions such as service availability broadcasting, service lookup, service discovery, authentication capability, billing and charging capability, firewall, gateway and so on").

Regarding claim 12, Akatsu teaches that the module is able to receive and process data from the external network and send data from the home network into the external network, See Akatsu, *Abstract; id.* at fig. 23.

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Akatsu in view of **Bouret** and **official notice**.

Regarding claim 4, Akatsu and Bouret do not teach that the module is updatable. However, it would have been obvious to one of ordinary skill in the art to make the module updatable because it is desirable to make devices updatable so that new functionality can be added after deployment.

### ***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Willow Noonan whose telephone number is (571)270-1322. The examiner can normally be reached on Monday through Friday, 7:30 AM-5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Pwu can be reached on (571) 272-6798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Willow Noonan/  
Examiner, Art Unit 2446

/Jeffrey Pwu/  
Supervisory Patent Examiner, Art Unit 2446